



**THE ATTORNEY GENERAL
OF TEXAS**

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October 7, 1970

Hon. Raymond F. Blount
Secretary-Treasurer

Anatomical Board of State of Texas
University of Texas, Medical Branch
Galveston, Texas 77550

Opinion No. M-703

Re: Is a college of osteopathic medicine chartered and located in Texas entitled to be represented by membership on the Anatomical Board of Texas under provisions of Article 4583, Vernon's Civil Statutes?

Dear Mr. Blount:

You have requested an opinion from this office concerning the above question. Your statement of facts reads, in part, as follows:

"Texas College of Osteopathic Medicine has obtained a charter from the State of Texas, copy enclosed; a faculty has been employed, all of whom are on active duty now; and the students for the first year have been admitted and have accepted.

"Texas College of Osteopathic Medicine has the approval of the Texas Association of Osteopathic Physicians and Surgeons, and receives development funds from this organization; also, Texas College of Osteopathic Medicine is accredited by the American Osteopathic Association - copy enclosed - the agency recognized by and designated by the Federal authorities for this function.

"For the first year the College will be located in an entire floor of the Fort Worth Osteopathic Hospital and adjacent areas.

"In summary, Texas College of Osteopathic Medicine is now an accredited operating medical college in the State of Texas.

"We are now informed that as an accredited medical college in Texas we may become eligible for membership on the Anatomical Board of the State of Texas..."

Your question is:

"Does the Anatomical Law of 1907, Section 1 include a college of 'Osteopathic Medicine' along with the 'usual medical schools', and this entitle it to representation on the board?"

Article 4583, Vernon's Civil Statutes, is the law applicable to this question and states in pertinent part as follows:

"The professor of anatomy and the professor of surgery of each of the medical schools or colleges now incorporated, and of the several medical and dental schools and colleges which may hereafter be incorporated in this State are constituted a board, to be known as the Anatomical Board of the State of Texas ..."

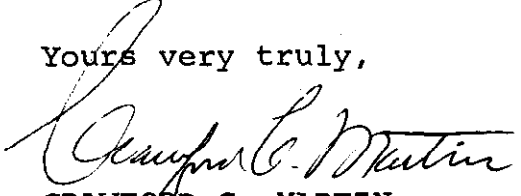
It is the opinion of this office that a College of Osteopathic Medicine duly incorporated and located in Texas is entitled to have the professor of anatomy and the professor of surgery of such institution accepted as members of the Anatomical Board of the State of Texas, upon the presentation by such professors of anatomy and professors of surgery of credentials designated by Article 4583.

This office has previously concluded that an osteopath is a practitioner of medicine within the meaning of the law (Attorney General's Opinion No. V-1024 (1950)), and the practice of osteopathy has consistently been held to be within the meaning of the phrase "the practice of medicine." (Attorney General's Opinion No. O-1298 (1939)). See also Articles 4590e and 4510, Vernon's Civil Statutes.

S U M M A R Y

A college of Osteopathic medicine duly incorporated and located in Texas is entitled to be represented by membership on the Anatomical Board of Texas under the provisions of Article 4583, Vernon's Civil Statutes.

Yours very truly,


CRAWFORD C. MARTIN
Attorney General of Texas

Prepared by Sam Jones
Assistant Attorney General

APPROVED:
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